

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHELDON HARRIS,

Petitioner,

-against-

WILLIAM A. LEE,

Defendant.

ORDER

14 Civ. 7501 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

On January 5, 2021, this Court adopted Judge Ellis's Report & Recommendation and dismissed Petitioner Sheldon Harris's petition seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Jan. 5, 2021 Order (Dkt. No. 40))

A certificate of appealability will not issue, because Harris has not "made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c). Where, as here, "a district court has rejected the constitutional claims on the merits, the showing required to satisfy § 2253(c) is straightforward: The Petitioner must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." Slack v. McDaniel, 529 U.S. 473, 484 (2000). Harris has made no such showing here._

Dated: New York, New York
July 23, 2021

SO ORDERED.



Paul G. Gardephe
United States District Judge